Statement

Name of the Formulation	Pack Size	Price based on the Baralgin Ketone price at Rs. 24, 735.38 per kg. under DPCO, 1970 (Rs.)	Price fixed by Government under DPCO, 1987 on 6-4-1989 and currently charged by the the Company (Rs.)
Baralgan Tablets	10x10's strip	37.34	49.83
Baralgan Tablets	1000's	336.11	434.83
Baralgan Ampoule	10x2ml Ampoule	13.41	22.84
Baralgan Ampoule	100x21ml Ampoule	107.22	..
Baralgan Ampoule	5x5ml Ampoule	11.83	..
Baralgab Ampoule	25x5ml Ampoule	53.65	97.97
Baralgan drops	10ml Bottle	4.67	6.89
Baralgan Injection	30 ml vial	12.83	15.83

Admissibility of set offs

1610. DR. (SHRIMATI) SAROJINI MAHISHI: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that Delhi High Court upheld in the case of Fulford that set offs are not admissible;

(b) whether it is also a fact that Law Ministry also opined in the case referred to above that no set offs are admissible;

(c) whether it is also a fact that special team appointed by his Ministry to assess the overcharging of prices by drug companies have allowed set-offs;

(d) if so, what are the details of set offs allowed in each case studied by the team;

(e) what are the reasons for allowing set offs contrary to the provisions of DPCO, 1979 and ruling of High Court and Law Ministry; and

(f) what steps have been taken to rectify the position?

THE MINISTER OF INDUSTRY (SHRI J. VENGALRAO): (a) and (b) The final judgement on the Civil Writ Petition filed by the Company in the Delhi High Court is still awaited.

(c) to (f) In the case of M/s. Fulford, the claim of the company for set-off has never been accepted by the Government at any time and the claim of the Government against that Company is still maintained at Rs. 194.62 lakhs which is the original claim made by the Government as early as in February, 1985. In respect of other case, for which assessment has already been made by the Special Team, the papers will be locked into and the details to the extent available would be laid on the Table of the Rajya Sabha as soon as possible.